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TAGS: [ETTC](#) [KSTC](#) [PARM](#)  
SUBJECT: WASSENAAR ARRANGEMENT: SUCCESSFUL FALL EXPERTS  
GROUP MEETING

REF: A. STATE 098278  
[1](#)B. STATE 101240  
[1](#)C. UNVIE VIENNA 291

Classified By: Counselor Eric Sandberg, Reason 1.4 (d).

[1](#)1. (SBU) Summary: The U.S. Delegation to the Wassenaar Arrangement's (WA) Fall Experts Group (EG) successfully negotiated agreement on fifteen of the seventeen proposals tabled by the U.S. this year. The final count is likely to be sixteen of seventeen as Russia is the only country blocking consensus on one of the two remaining U.S. proposals but will request revised instructions with a view to joining consensus by October 15. Overall, the EG agreed to thirty-nine changes at the fall meeting, bringing the total agreements for 2008 to fifty-two. Among the most significant agreements were new dual-use controls for detonators as well as explosives detecting equipment, both of which have applications associated with Improvised Explosive Devices (IEDs). The EG also approved recommendations for the low-light level (LLL) sensors and associated cameras Technical Working Group (TWG) for making four changes to the control text. Significant progress was made in developing a new approach to controlling Global Navigation Satellite System (GNSS) receivers. The U.S.-chaired Technical Working Group (TWG) on neural networks successfully completed its work. The EG agreed to a significant expansion of the control text for vessels on the WA Munitions List (ML) bringing it more in line with the United States Munitions List (USML). The EG agreed to request Plenary mandates to continue work in 2009 on encryption, low-light level sensors, and GNSS receivers. The working relations in the EG were excellent, with delegations actively focused on resolving differences. The Irish chair pushed delegations hard to reach agreement. A full list of the agreed proposals is included at the end of the cable. End Summary.

#### Agreements on National Proposals

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[1](#)2. (SBU) During the September 15 ) 26 WA EG meeting, USDEL successfully negotiated agreement on eight of the remaining ten U.S. proposals not agreed to during the spring EG. Of the two remaining U.S. proposals tabled last February, one was the subject of a Japanese counterproposal; the U.S. subsequently withdrew its proposal in favor of the Japanese counterproposal. Only Russia remains in study reserve for this proposal, because the Russian delegation had instructions to support the U.S. proposal, but no instructions on the Japanese counterproposal. Russia asked for additional time to get these instructions. USDEL anticipates that Russia will be able to join consensus by

October 15. The other U.S. proposal not agreed to will be carried forward to 2009. Among the U.S. proposals agreed to by the EG in 2008 are: (1) new controls for high temperature switches and certain oscillators, (2) closing a loophole on software that can be used to upgrade thermal imaging cameras, (3) decontrols of outdated software and computers, (4) a number of clarifications of the control text, (5) a new control for the technology associated with ultraviolet non-line-of-sight communications and (6) a decontrol for personal area networks that use encryption.

¶3. (SBU) USDEL also played a critical role in promoting and achieving agreement on a number of other Participating States proposals. The U.S. played a leadership role on these proposals because in some cases the proposals represented important U.S. interests and in other cases assisting other delegations helped build overall good will. For example, USDEL provided the idea and the language that solved an impasse on the UK's proposal to control explosives detection equipment. USDEL also provided language and then subsequent active editing to achieve agreement on radio equipment used to detonate or block detonation of IEDs. In addition, USDEL played an active part in getting agreement on the Japanese proposal on robots, the Russian proposal on automated command and control equipment, and the German proposal to clarify circular references in the encryption control list entries.

¶4. (SBU) USDEL also succeeded in removing proposals that were not in the U.S. interests or modifying them so that they were, in the end, acceptable. For example, USDEL helped Russia conclude that no further action was needed on its two decontrol notes for composite fabric (fibrous or filamentary material). USDEL's tabling of a counterproposal led to the

withdrawal of the Japanese proposal on phase shift masks. In addition, the USDEL's counter to the German proposal to decontrol certain composite material components led to a much more clearly defined decontrol.

Improvised Explosive Devices (IEDs)  
Technical Working Group (TWG)  
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¶5. (SBU) The UK-chaired IED TWG fulfilled the Plenary mandate on IEDs. The results of the TWG are reported in WA-EG (08) TWG 021 Rev 2, WA-EG (08) CRP 049 and WA-EG (08) TWG 026. It recommended three new controls (paragraph 14.C., D. and 18.B. below). These were all agreed in the EG. These new controls will bring the WA dual-use list in line with current unilateral controls on the U.S. Commerce Control List (CCL).

Low-Light Level Sensor (LLL) TWG  
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¶6. (SBU) The U.S.-chaired LLL TWG recommended four changes in the control lists (paragraphs 20.B., C., D. and 22.B. below). These were all approved by the EG. The results of the TWG are reported in WA-EG (08) TWG 027. There was no significant progress made on the issue raised by Canada concerning direct view. There was only a preliminary exchange of views concerning redrafting 6.A.3. to incorporate performance-based parameters. While many delegations were in favor, most believe that it would be a daunting task. There was a cautionary note sounded that performance-based controls might be less effective. The TWG also discussed possible ways forward in addressing the issue of foreign availability in 2009. The TWG recommended, and the EG approved, a draft Plenary mandate for continued work in 2009. The mandates notes that areas of special interest left open from 2008 are (1) definitions, (2) foreign availability, (3) performance and parameter based controls, (4) monospectral and multispectral imaging sensors, (5) direct view and (6) underwater cameras. USDEL noted that the actual agenda for the TWG in 2009 will be shaped by the submission of proposals and non-papers from Participating States and encouraged those with ideas to submit them accordingly.

Global Satellite Navigation Systems (GNSS)

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17. (SBU) After a bumpy start, the Australian-chaired GNSS TWG made progress in defining a possible way forward for this long-standing, contentious issue of revising the control text related to GNSS receivers. Negotiations concerning GNSS at the fall EG were initially stymied by a clear division into two camps. France, Germany, and Italy all sought to preserve that maximum future flexibility for the EU-sponsored Galileo GNSS, while the U.S., Russia and the UK sought to have all GNSS systems treated equally. Continued dialogue made progress towards a possible solution. The U.S. proposed a new positive control text to capture GNSS systems employing encryption. After much discussion, Germany, France and Italy all expressed an interest in exploring this text. An alternative, a decontrol that more clearly defines commercial services was also discussed. The EG chair pushed Participating States to find a way to maintain the momentum towards a solution. When a possible extraordinary EG meeting prior to the Plenary proved unacceptable, she got agreement on a Plenary mandate that encourages Participating States to reach agreement not later than the spring EG in 2009. This agreement would focus primarily on a positive control as proposed by the U.S., but could also consider a limited decontrol as an alternative. If text can be agreed during the spring EG, it would be recommended to the Plenary under a silence procedure. Plenary agreement under a silence procedure would offer Participating States the opportunity to include this update with those list changes approved by the 2008 Plenary. Comment: USDEL came into the discussions of GNSS in 2008 with low expectations. Comments made by a German technical expert at the spring EG (ref C) offered the possibility of unanticipated progress. However, a French non-paper tabled just before the fall EG seemed to undercut that progress. Negotiations during the fall EG again appear to have again opened the door for resolving this issue. The German, French and Italian delegations all seem to engage seriously on this issue at the EG. The fact that European governments are again playing a larger role in the Galileo project offers hope of progress, but only time will tell. End comment.

#### Vessels TWG

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18. (SBU) The UK-chaired Vessels TWG met with unexpected success and fulfilled its Plenary mandate producing a complete re-write of ML9. The results this TWG are recorded in WA-EG (08) TWG 022 Rev 3. The revised text clarifies some of the ambiguities in the current text as well as significantly expanding the text to include vessels that were not specially designed for the military, but nevertheless have military capability. Comment: Strong opposition to the revision of ML9 expressed by Russia, Italy, and Germany against this revision dissipated in the course of negotiation. The end result brings the WA ML much closer to the USML in its coverage. John King from the UK who chaired this TWG showed a doggedness that eventually bore fruit. End comment.

#### Neural Networks TWG

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19. (SBU) The U.S.-chaired Neural Network TWG completed its Plenary mandate. The results of this TWG are recorded in WA-EG (08) TWG 024. There was no consensus within the TWG on how to change the text of the current controls on neural network integrated circuits and neural computers. The TWG recognized that the shift to digital technology has had an impact on the current controls and recommended that Participating States submit national proposal or papers to address the adequacy of the current controls once they have had time to study the results of the TWG.

#### Dialogue with Missile Technology Control (MTCR) Technical Experts Meeting (TEM)

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¶10. (SBU) The EG agreed that the EG Chair should forward to her counterpart in the MTCR the table in WA-EG (08) 016 that highlights potential overlaps in the controls of the two regimes. Peter Szorenyi, the Australian chair of EG/TEM working group, did a great deal of work to assemble this table.

#### Plenary Mandates Requested for 2008

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¶11. (SBU) In addition to the Plenary mandates requested for the LLL TWG and the GNSS TWG described above, the EG also agreed to request a Plenary mandate to continue work on Category 5 Part 2 in 2009 with a goal of refining the current lengthy decontrol note and ensuring that only products of concern are controlled (e.g., avoiding control of ancillary uses of cryptography). The EG also agreed to carry forward two proposals that were not resolved in 2008. These are US002 on coordinate measuring machines (CMM) and GB018 on underwater diver detection systems.

#### EG Atmospherics

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¶12. (C) The fall EG had a very constructive atmosphere. Thirty-one of the forty Participating States attended at least some part of the meeting. The following highlights are offered:

- The Japanese delegation has continued to increase its level of activity in the EG. Atsushi Tanazawa, although young, speaks excellent English and is a very good assistant for Masaaki Takabatashi, the Japanese Head of Delegation. The U.S. had two very useful bilateral meetings with the Japanese delegation to discuss electronics during the second week. These meetings solidified four of the six agreements in Category 3 and the withdrawal of the Japanese proposal for phase shift masks. The U.S. committed to continue to work with the Japanese delegation on Category 3 issues in preparation for the 2009 list review.

- The Italian delegation also continue to increase its profile in the EG. Its representation was dominated by the Ministry of Defense and included Admiral Stefano Tortora, who actively participated in the vessels TWG. Captain Diego Martini will chair the EG in 2009, and Italy will nominate him to serve again in 2010 at the December Plenary. The Italian MoD has made the EG chairmanship Martini's primary

job for the next two years.

- Although there were fourteen members on the Russian delegation, none of them ever engaged in discussion, formal or informal, except the Head of Delegation, Oleg Postnikov. He is well-versed in the working of the WA EG and has successfully screened it from political interference from Moscow. He is scheduled to rotate back to Moscow in the New Year, so the nature and level of future Russian engagement in the EG is unclear.

- The UK delegation's performance continued to be uneven. The UK delegation was energetic and made a positive contribution to the work of the EG in that regard. However, the UK continues to table proposals that are not very well staffed and to rely on others (often the U.S.) to solve the problems this creates. Poorly staffed UK proposals took up a considerable amount of the EG's time. The UK delegation was periodically out of step with the flow of the negotiations, making ill-timed suggestions that at times took the negotiations backwards. As an example, during the GNSS negotiations when the Galileo group (Italy, Germany and France) were moving towards the position espoused by the U.S., the UK and Russia, the UK delegation unfortunately took the opportunity to charge that U.S. delegation was not being forthcoming. At another point, the UK unhelpfully suggested that further discussion of GNSS be deferred for two to three years pending further development of Galileo. The end result

was that the UK was sidelined through much of these discussions, and other delegations continued trying to make progress on this issue, resulting in the Plenary mandate to seek agreement at the spring EG in 2009 along the lines sought by the U.S.

- The French delegation continues to play a more active role. All of the members of the French delegation were from the Ministry of Defense. The French delegation was particularly helpful in providing the USDEL with information on French licensing practices for thermal imaging cameras.

EG Chair

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¶13. (SBU) Martina Feeney from Ireland again did an outstanding job of chairing the EG. She was extremely helpful in making sure that U.S. proposals were given a fair hearing. She pushed all delegations to reach agreement wherever possible. Next year's EG chair, Diego Martini of Italy, continue to understudy the current EG chair as he did during the spring EG. Italy has set an extremely useful precedent in committing Captain Martini to a full year of preparation prior to assuming the role of EG chair.

Proposals Recommended  
for Plenary Approval by the Fall EG  
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¶14. (SBU) Category 1 (Special Materials and Protective Equipment) proposals agreed:

¶A. New Title for the Category GB013 Rev 1

¶B. 1.A.2. Note 3. Decontrol for certain component made of composites and laminates. DE002/US029

¶C. 1.A.4.d. New control for explosive detection devices. TWG021 Rev 2./CRP049

¶D. 1.A.8. New control for explosive detonators. TWG021 Rev 12.

¶E. 1.C.8./ 1.A.3. Deletion of one decontrol note and clarification of another. US001

¶F. 1.C.10. Technical Note. Replacement of Japanese Industrial Standard (JIS) with and International Standards Organization (ISO) standard. JP002

¶15. (SBU) Category 2 (Materials Processing) proposals agreed: None.

¶16. (SBU) Category 3 (Electronics) proposals agreed:

¶A. 3.A.1.a.7. Revised controls for Field Programmable Logic Devices (FPLDs). US017 Rev 1

¶B. 3.A.1.a.10. Revised controls for custom integrated circuits. JP005

¶C. 3.A.1.b.10. Oscillators and phase noise instrumentation. US003 Rev 2 Corr

¶D. 3.A.1.c. Revised controls for acoustic wave devices. JP006 Rev 1

¶E. 3.A.1.f. Relaxation of controls on rotary absolute position encoders. DE004/GB024

¶F. 3.A.1.h. New control for high temperature switches. US004 Rev 2

¶17. (SBU) Category 4 (Computers) proposals agreed: None.

¶18. (SBU) Category 5 Part 1 (Telecommunications) proposals agreed:

¶A. 5.A.1.f. Addition to dual-use jammer controls. GB003 Rev 1

¶B. 5.A.1.h. New control for radio equipment used to detonate or prevent detonation of Improvised Explosive Devices (IEDs) TWG026

¶C. 5.E.1.c.6. New control for the technology for ultraviolet non-line-of-sight communications. US010

¶D. 5.E.1.d. New control for the technology for Monolithic Microwave Integrated Circuits used in telecommunications. US012 Rev 1

¶19. (SBU) Category 5 Part 2 (Information Security) proposals agreed:

¶A. 5.A.2.a.7. A new control for high security Information and Communications Technology (ICT) security systems and devices. AU002 Rev 2

¶B. 5.A.2. Revised definition for personalized smart cards. DE001 Rev 1.

¶C. 5.A.2. Note h. New decontrol for special equipment designed to service mobile devices that employ encryption. FI001 Rev 1.

¶D. 5.A.2. Note i. New decontrol for personal area network encryption. US014 Rev 2

¶E. 5.B.2., D.2. and E.2. Clarification of the scope of control. DE008 Rev 1

¶20. (SBU) Category 6 (Sensors and Lasers) proposals agreed:

¶A. 6.A.1.c. New control for diver deterrent acoustic systems. CA005

¶B. 6.A.2.a.1. Consolidation of the controls for space qualified detectors. CRP055

¶C. 6.A.2.a.2.a.3.c. and 6.A.2.a.2.b.3. Conversion of decontrol notes to positive control text. CRP055

¶D. 6.A.2.b. New decontrol note for certain mono-spectral sensor systems. DE005/CRP055

¶E. 6.A.6. New definition for sensitivity and clarification of the controls for magnetometers. CA001 Rev 1

¶F. 6.A.8.j.3. New control for LIDAR coastal surveying equipment. GB011 Rev 1

¶G. 6.D.3. New control for camera software. US016 Rev 2

¶21. (SBU) Category 7 (Navigation and Avionics) proposals agreed: None.

¶22. (SBU) Category 8 (Marine) proposals agreed:

¶A. 8.A.1.b. Revised control for submersibles. GB001 Rev 1.

¶B. 8.A.2.f. Revised control for certain underwater cameras. CRP055

¶23. (SBU) Category 9 (aerospace and propulsion) one proposal agreed:

- 9.A.12.b.2. Clarification of controls on components for UAVs. DE006/CA010

¶24. (SBU) Sensitive List (SL) proposals agreed:

¶A. 3.A.2.g.1. Correction of Sensitive List to correspond to changes made in 2007 for atomic clocks. GB008 Rev 1



¶B. 6.A.6.c.1. Added certain magnetic gradiometers to the Sensitive List. CA002 Rev 1

¶25. (SBU) Munitions List proposals agreed:

¶A. ML2.a. Note 3. Added a decontrol for &line throwers8. GB016 Rev 1

¶B. ML7. e., f., and g. Clarification of NBC equipment controls. GB009 Rev 2

¶C. ML9. Restructured and expanded the controls for vessels with military capability. GB007 Rev 1/TWG022 Rev 3

¶D. ML11 j. Added Automated Command and Control Systems to the illustrative list of controlled electronic equipment. RU002 Rev 1

¶E. ML17. e.3. Added a Technical Note clarifying the control for robots designed to withstand EMP. JP008 Rev 2.

¶F. ML21. Clarification of the controls on military software. GB006 Rev 1  
PYATT